

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Case No. 04-32529

Michael A. Woessner,

Debtors.

Chapter 7

Danielle Woessner,

Adv. Pro. No. 04-3327

Plaintiff,

vs.

Michael Woessner,

Defendant.

ANSWER TO COMPLAINT TO DETERMINE DISCHARGEABILITY

Defendant, for his Answer to Complaint to Determine Dischargeability of Danielle
Woesner, states and alleges as follows:

FIRST DEFENSE

I.

Defendant denies each and every allegation of the complaint, except as specifically
admitted herein.

II.

Defendant admits paragraphs 1, 3, 4, 5, 6, 7, 8, 9, 10, and 12 of the complaint.

III.

As to paragraph 2 of the Complaint, Debtor resides at 1928 East Shakopee Ave., Shakopee,
MN 55379.

IV.

As to paragraph 11 of the Complaint, Debtor does not have independent knowledge of the amount owed to AT&T Wireless and Chase Visa and puts Plaintiff to her burden of proof.

SECOND DEFENSE

VI.

Defendant is in need of two surgeries, a fusion of the spine and a gastric bypass to reduce his weight and relieve pressure on the spine. He will be out of work and without income for as long as five months. His only source of income during this time will be short-term disability that reimburses only 60% of income for a period of thirteen weeks. As a result of this impending period of disability and Debtor's general inability to pay his debt, he cannot repay the debt to Plaintiff.

WHEREFORE, Debtors request that the court dismiss the Complaint with prejudice.

Dated: 8/16/04

By: /s/ Gregory J. Wald
Gregory J. Wald, Attorney for the
Debtor
3601 Minnesota Drive, Suite 800
Edina, MN 55435
(952) 921-5802 ID 165244

In Re: Michael Woessner

**U. S. BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

Debtor(s) Case Number BKY: 04-32529

**UNSWORN DECLARATION
FOR PROOF OF SERVICE**

I, Julie Nistler, of the office of Gregory J. Wald, attorney licensed to practice law in this court, with office address of 3601 Minnesota Drive, Suite 800, Edina, MN 55435, declares that on August 23, 2004, I served Answer to Complaint to Determine Dischargeability upon each of the entities named below by mailing to each of them a copy thereof by enclosing same in an envelope with first class mail postage prepaid and depositing same in the post office at Edina, Minnesota addressed to each of them as follows:

Ms. Danielle Woessner
1063 Courthouse Blvd.
Inver Grove Heights, MN 55077

And I declare, under penalty of perjury, that the foregoing
is true and correct.

Executed: 8-23-04

Signed: Julie Nistler
